



**National Park Service
U.S. Department of the Interior**

Superintendent's Compendium
Of Designations, Closures, Permit
Requirements and Other
Restrictions Imposed Under
Discretionary Authority.

**George Washington
Birthplace National
Monument**

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Approved:

_____/s/ Lucy Lawliss_____
Lucy Lawliss, Superintendent

____August 21, 2012____
Date

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of George Washington Birthplace National Monument. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, and Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document identified by italicized print.

36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USES OR ACTIVITIES

(a)(1) The following visiting hours, public use limits, and closures are established:

Visiting Hours:

- The Historic Area, Visitor Center, Book Store, and Visitor Center parking lot are open to the public between 9:00 am and 5:00 pm unless otherwise posted
- The park picnic area and Potomac River Beach/Burial Ground area are closed to the public at 5:00 pm November 1st through February 28th, unless otherwise posted
- The park picnic area and Potomac River Beach/Burial Ground area are closed to the public at sunset March 1st through October 31st, unless otherwise posted
- Gates to the picnic area and Potomac River Beach/Burial Ground will be open to the public at 9:00 a.m. Monday - Sunday (except federal holidays), unless otherwise posted.
- All park areas are closed to the public on the following holidays: New Years Day, Thanksgiving Day, and Christmas Day

These visiting hours were determined to be in the best interests of the National Park Service and are necessary for the proper management of the park, visitor safety and resource protection.

Closures:

- The park shorelines along Pope's Creek and ponds are closed to the landing and launching of boats/watercraft and all public entry by water year round. This closure is based on the

determination that the launching/landing of boats and watercraft along Pope's Creek and ponds could pose a threat to the landscape's integrity through soil and slope erosion, damage to and loss of important vegetation and physical damage to features. (See Cultural Landscape Report for more information.)

- The park shoreline along the Potomac River beach is closed to the landing and launching of motorized boats/watercraft. The launching and landing of non-motorized boats/watercraft, such as canoes and kayaks is permitted along the Potomac River beach. These designations are based on the determination that the launching of motorized vehicles requires designated launch sites and direct road access, which the park does not have available.
- The park shorelines and ponds are closed to fishing with the exception of the Potomac River Beach and Pope's Creek designated fishing area adjacent to the picnic area. It has been determined that fishing in undesignated areas along Pope's Creek or other areas of the park could pose a threat to the landscape's integrity through soil and slope erosion, damage to and loss of important vegetation, and physical damage to features. (See Cultural Landscape Report for more information.)
- The park is closed to the following activities:
 - Camping is prohibited in the park year round except to service organizations as provided in a special use permit. This closure is based on the determination that the park is not equipped to administer camping.

(a)(2) The following areas are designated for a specific use or activity and/or the following conditions or restrictions are imposed on a specific use or activity:

Fishing:

- Pope's Creek adjacent to the picnic area is designated for fishing.
- A Virginia saltwater or freshwater sport fishing license is required.
- See also 36 CFR § 2.3 of this document.

These designations are based on the determination that fishing in undesignated areas could pose a threat to the landscape's integrity through soil and slope erosion, damage to and loss of important vegetation and physical damage to features. . (See Cultural Landscape Report for more information.)

Picnicking:

- Picnicking is prohibited in all public areas that impede vehicular or pedestrian traffic.
- Picnic tables are available on a first come/first serve basis.
- See also 36 CFR § 2.11 and Appendix A of this document.

This condition is designed to promote smooth and safe vehicular and pedestrian traffic.

Passenger Carrying Buses & Vehicles

- Tour buses may idle during extremely hot weather in an area designated by the ranger on duty in order to maintain power to the air conditioning system; and
- Diesel powered vehicles may idle in an area designated by the ranger on duty to minimize re-start problems.

These restrictions are based on the determination that the idling of bus engines adds unnecessary exhaust fumes to the air and diminishes the enjoyment by visitors to the peace and tranquility of the park.

(a)(3) The following restrictions, limits, closures, designations, conditions, or visiting hour restrictions imposed under §§(a)(1) or (2) have been terminated:

- N/A

36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

Activities requiring a permit are listed above under Public Use Limits and throughout this document under the specific 36 CFR Section that authorizes or requires the issuance of a permit.

36 CFR §2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES

- Under 36 CFR § 2.1(a)(1), possessing, destroying, injuring, defacing, removing, digging, or disturbing natural, cultural, or archeological resources is prohibited.
- Under 36 CFR § 2.1(a)(7), possessing or using a metal detector is prohibited.
- Pursuant to 36 CFR § 2.1(c)(1), unoccupied seashells may be collected by hand on the Potomac River beach for personal use. This allowance is based on the determination that the gathering of unoccupied seashells will not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.

36 CFR §2.2 - WILDLIFE PROTECTION

- Under 36 CFR § 2.2(e), viewing of wildlife by means of an artificial light is prohibited in the park.

36 CFR §2.3 – FISHING

(a) Fishing shall be in accordance with the laws and regulations of Virginia:

- Fishing is allowed from the Potomac River Beach. A Virginia saltwater or Maryland Bay Sport or Potomac River Fisheries fishing license is required to fish in this location.
- Fishing is allowed from the Pope's Creek fishing area adjacent to the picnic grounds. A Virginia saltwater or freshwater sport fishing license is required to fish in this location.
- All fishing must comply with State size limits, catch limits, and other restrictions.
- See also 36 CFR § 1.5 of this document.

36 CFR §2.5 – RESEARCH SPECIMENS

(a) Taking plants, fish, wildlife, rocks or minerals is prohibited except in accordance with other regulations of Chapter I of 36 CFR or pursuant to the terms and conditions of a specimen collection permit.

36 CFR §2.10 – CAMPING AND FOOD STORAGE

(a) Camping is allowed in the following designated sites or areas and is subject to the following established conditions:

- Camping is prohibited in the park year round except to service organization as provided in a special use permit. See also 36 CFR § 1.5 of this document.

36 CFR §2.11 – PICNICKING

- Picnicking is prohibited in all public areas that impede vehicular or pedestrian traffic. See also 36 CFR § 1.5 of this document.
- Picnic tables and the picnic pavilion are available on a first come first serve basis.
- See also 36 CFR § 2.11.

36 CFR §2.12 – AUDIO DISTURBANCES

(a)(2) Operating a power saw is prohibited, except pursuant to the terms and conditions of a permit.

(a)(3) Operating any type of portable motor or engine, or device powered by a portable motor or engine is prohibited, except pursuant to the terms and conditions of a permit.

(a)(4) Operating a public address system is prohibited, except in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51.

36 CFR 2.13 – FIRES

(a)(1) The lighting or maintaining of fires is prohibited, except in the following areas and/or receptacles, and under the conditions noted:

- Fires are only permitted at the Pope's Creek picnic area in the park-supplied grills or personal grills brought by visitors.
- Fires must be monitored at all times
- During periods of high fire danger, the Superintendent may close all or a portion of the park to the lighting and maintaining of fires

(a)(2) The following restrictions are in effect for the use of stoves or lanterns:

- Stoves and lanterns are only permitted at the Popes Creek picnic area
- Lanterns may not be attached to trees, vegetation, or park structures

(b) Fires must be extinguished according to the following conditions:

- Fires must be extinguished with water and ashes left in place
- Ashes cannot be dumped in trash receptacles or on the ground.

36 CFR §2.15 – PETS

(a)(1) Possessing pets in public buildings, public transportation vehicles, swimming beaches, and the following areas is prohibited:

- All park buildings
- Historic area
- Burial ground
- These restrictions do not apply to guide dogs accompanying visually impaired persons or hearing ear dogs accompanying hearing-impaired persons.

Under 36 CFR § 2.15(2), pets must be restrained in crates, cages or on leashes at all times.

(a)(5) Pet excrement must be disposed of in accordance with the following conditions:

- Pet owners must pick up and dispose of pet excrement.

36 CFR §2.16 – HORSES AND PACK ANIMALS

(b) The use of horses or pack animals is prohibited outside of the following trails, routes or areas designated for their use:

- Within five feet of a roadway (see map).

(g) Other conditions concerning the use of horses or pack animals:

- Horses and pack animals are prohibited on the Potomac River beach, the Historic Area, the Burial grounds, and the nature trail.
- Stock trailers will be parked at the Log House parking area unless otherwise directed by a park employee.

36 CFR §2.20 – SKATING, SKATEBOARDS AND SIMILAR DEVICES

Using roller skates, skateboards, roller skis, coasting vehicles or similar devices is prohibited.

36 CFR §2.21 – SMOKING

(a) The following portions of the park, buildings, structures and/or facilities are closed to smoking as noted:

- Smoking is prohibited in all buildings, structures and/or facilities.

These designations are in accordance with federal regulation and are based on a determination that smoking is prohibited to protect park resources, reduce the risk of fire, or prevent conflicts among visitor use activities.

36 CFR §2.22 – PROPERTY

(a)(2) Leaving property unattended for longer than 24 hours is prohibited, except under the following conditions:

- Property may not be left unattended longer than 24 hours unless specific permission is given by the Superintendent.

36 CFR §2.23 – RECREATION FEES

(b) N/A

(c) Special U

36 CFR §2.35 – ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

(a)(3)(i) The following areas and facilities within the park are closed to consumption of alcoholic beverages, and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal has been broken or the contents of which have been partially removed:

- The consumption of alcoholic beverages is prohibited in the park in adherence to Virginia Code, Title 4, Chapter I, Section 308, except by the issuance of a special use permit.

The park is closed to alcohol consumption because such activity is inappropriate considering the other uses of the park and the purpose for which the park was established and is maintained. The park was established and is maintained to preserve and protect the resources of the park which serve as a tribute to America's founding father, George Washington. As such, alcohol is prohibited to protect the park's historic significance and the visitor experience.

36 CFR §2.37 – NONCOMMERCIAL SOLICITING

Soliciting or demanding gifts, money, goods or services is prohibited except pursuant to the terms and conditions or a permit that has been issued under §2.50, §2.51, or §2.52.

36 CFR §2.38 – EXPLOSIVES

(a) Using, possessing, storing, or transporting explosives, blasting agents or explosive materials is prohibited, except pursuant to the terms and conditions of a permit.

(b) Using, or possessing fireworks and firecrackers is prohibited, except pursuant to the terms and conditions of a permit.

36 CFR §2.50 – SPECIAL EVENTS

(a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed, provided there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefor has been issued by the superintendent.

36 CFR §2.51 -- DEMONSTRATIONS

(b) Demonstrations of 25 people or less are allowed within the park areas designated as available under paragraph (c)(2). Demonstrations of more than 25 people are allowed within designated park areas when the superintendent has issued a permit for the activity.

(c)(2) The following locations are designated as available for demonstrations:

- **An area has been set aside near the Visitor Center. A map showing the location is available at the Visitor Center.**
- **A second area is available at the Picnic Area. A map showing the location is available at the Visitor Center.**

36 CFR §2.52 -- SALE OR DISTRIBUTION OF PRINTED MATTER

(b) The sale or distribution of printed matter by 25 people or less is allowed within the park areas designated as available under §2.51(c)(2) (see above). The sale or distribution of printed matter by more than 25 persons is allowed within designated park areas when the superintendent has issued a permit.

36 CFR §2.60 – LIVESTOCK USE AND AGRICULTURE

(a) Livestock are generally prohibited in any park area. They are only permitted in park areas pursuant to the exceptions provided for in §2.60(a) and only pursuant to the terms and conditions of a license, permit, or lease.

36 CFR §2.61 – RESIDING ON FEDERAL LANDS

(a) Residing in park areas, other than on privately owned lands, is prohibited except pursuant to the terms and conditions of a permit lease or contract.

36 CFR §2.62 – MEMORIALIZATION

(a) The installation of a monument, memorial, tablet, structure, or other commemorative installation in a park area without the authorization of the Director is prohibited.

(b) The scattering of human ashes from cremation is prohibited, except pursuant to the terms and conditions of a permit.

36 CFR §3.16 – SWIMMING AND WADING

Swimming or wading is prohibited in the park pursuant to closures listed in 36 CFR § 1.5 of this document.

36 CFR §3.18 – SCUBA AND SNORKELING

(a) Snorkeling and underwater diving is prohibited in the park pursuant to closures listed in 36 CFR § 1.5 of this document.

36 CFR §4.21 – SPEED LIMITS

(a), (b) The following speed limits are established for the routes/roads indicated:

- The speed limit is set at 25 miles per hour on Bridges Creek Rd. and the picnic area road.

36 CFR §4.30 – BICYCLES

(a) The use of a bicycle is prohibited except on park roads and in parking areas.

36 CFR §5.1 – ADVERTISEMENTS

Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent.

36 CFR §5.3 – BUSINESS OPERATIONS

Engaging in or soliciting any business in park areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a park area, is prohibited.

36 CFR §5.5 – COMMERCIAL PHOTOGRAPHY

(a) Before any motion picture may be filmed or any television production or sound track may be made by any person other than bona fide newsreel or news television personnel, written permission must first be obtained from the Superintendent.

(b) Taking photographs of any vehicle or other articles of commerce or models for the purpose of commercial advertising without a written permit from the Superintendent is prohibited.

36 CFR §5.6 – COMMERCIAL VEHICLES

(b) & (c) Using commercial vehicles on government roads within park areas when such use is in no way connected with the operation of the park is generally prohibited, and requires permission or a permit from the Superintendent.

36 CFR §5.7 – CONSTRUCTION OF BUILDINGS OR OTHER FACILITIES

Such activities are prohibited, except in accordance with the provisions of a valid permit, contract, or other written agreement with the United States.